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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,335	05/18/2005	Hiroya Kusaka	P27931	3746
52123 7590 04/28/2011 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191				
EXAMINER CHIO, TAT CHI				
ART UNIT		PAPER NUMBER		
2481				
NOTIFICATION DATE		DELIVERY MODE		
04/28/2011		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

# Office Action Summary

**Application No.**

10/535,335

**Applicant(s)**

KUSAKA ET AL.

**Examiner**

TAT CHIO

**Art Unit**

2481

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 February 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 14-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-945)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1 and 14-17 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims are 1 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Taira et al. (US 2002/0035575 A1).
4. **Consider claim 1**, Taira teaches a video data file integrating apparatus for integrating original un-integrated video data files, said apparatus comprising: **a conversion processor that converts the original un-integrated video data files having a data format of an original un-integrated directory file structure with a first hierarchy, into an integrated video data file having a data format having a different directory file structure with a second hierarchy, which is different from the first hierarchy** (Fig. 2 shows the directory before conversion and Fig. 15 shows the directory after conversion. Fig. 12-Fig. 13 show the conversion process.); **and a generation processor that generates reproduction control information, which includes information of the original un-integrated directory file structure with the first hierarchy** (ST 202 of Fig. 12 teaches generating UD\_PGCI by registering by

user's choice (or automatic choice). Cell information 811, cell information 821, and cell information 831 under PGC information 810, PGC information 820, and PGC information 830 stored in management information of respective standards in UD\_PGCI in integrated management information 800 as new cell information. ST402 of Fig. 14 teaches generating UD\_PGCI by registering by user's choice (or automatic choice) in turn cell information 811, cell information 821, and cell information 831 under PGC information 810, PGC information 820, and PGC information 830 stored in management information of respective standards in UD\_PGCI 805 in integrated management information 800 as new cell information), **and records the reproduction control information into a management information file including management information of the integrated video data file after the conversion when the conversion processor performs the conversion** (ST 406 teaches recording standard integrated management information on information storage medium via disc drive as file UR\_MANGR.INFO, and update volume& file structure information).

5. **Consider claim 14**, Taira teaches the video data file integrating apparatus, wherein **the information of the original un-integrated directory file structure includes information for identifying an original un-integrated directory and the first hierarchy of the original un-integrated directory, in which each of the original un-integrated video data files have been stored, before the conversion** (Fig. 2 shows the file structure before conversion. The different file names identify the three different types of standards: VR, AR, and SR).

6. **Consider claim 15**, Taira teaches the video data file integrating apparatus, **wherein the reproduction control information further includes information for reproducing portions of the integrated video data file corresponding to the original un-integrated video data files, according to a same order as an order of reproducing the original un-integrated video data files** (Fig. 11 shows that the integrated management information includes user-defined PGC information. Although Fig. 11 shows that the order of reproduction is different from the original order of reproduction, ST 202 of Fig. 12 and ST 402 of Fig. 14 explicitly teach that user-defined PGC information is generated by registering the user's choice. Therefore, the user is able to choose the same order as the original order of reproduction).
7. **Consider claim 16**, Taira teaches the video data file integrating apparatus, **wherein the reproduction control information is usable for recovering the original un-integrated video data files having the data format of the original un-integrated directory file structure with the first hierarchy from the integrated video data file** (The reproduction information in Fig. 11 is usable for recovering the original un-integrated video data files because they are the same information except that they are in different order).

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taira et al. (US 2002/0035575 A1).
3. **Consider claim 17**, Taira teaches all the limitations in claim 14 and **the information of the original un-integrated directory file structure includes information for identifying a recording medium in which each of the original un-integrated video data files has been stored, before the integration** (Fig. 2 shows the filenames of the data file such as VR\_MANGR.INFO, VR\_MOVIE.VRO, AR\_MANGR.INFO, AR\_AUDIO.ARO, SR\_MANGR.INFO, and SR\_TRANS.SRO. These filenames are for identifying whether a recording medium has stored one of the three standards: VR, AR, and SR) except for **the original un-integrated video data files are stored in recording media, each of the recording media has a different directory file structure**. It would have been obvious to one of ordinary skill in the art at the time the invention was made to record these standards on separate media because it has been held that constructing a formerly integral structure in various elements involve only routine skills in the art.

### ***Conclusion***

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAT CHIO whose telephone number is (571)272-9563. The examiner can normally be reached on Monday - Thursday 9:00 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter-Anthony Pappas can be reached on 571-272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/T. C. C./  
Examiner, Art Unit 2481

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2484